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UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT
21400 UNITED STATES COURTHOUSE
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MD - Harrisburg Clerk of District Court
(District)

Date 8/27/01

Thornton v. Lindsey, et al.
(Caption)

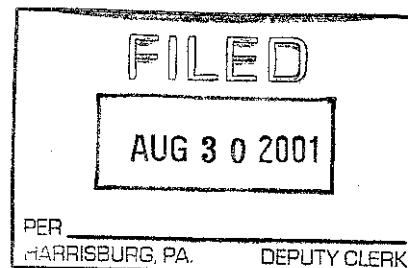
C. OF A. NO. 01-2802

Douglas Henry Thornton
(Appellant)

00-cv-1590
(D.C. No.)

Enclosures:

8/27/01 Certified copy of C. of A. Order by the Court/Clerk
(Date)



Released (Record) (Supplemental Record - First - Second - Third)

Copy of this form to acknowledge receipt and return to C. of A.

Record not released at this time until appeal(s) closed at No. (s) _____

Please forward Certified List in Lieu of Record to this office.

The certified copy of order issued as the mandate on _____
is recalled.

Dannette M. Gunning
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8/30/01
(Date)

EPS-357

August 22, 2001

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. 01-2802

DOUGLAS HENRY THORNTON

vs.

LINDSEY, ASSOCIATE WARDEN, ET AL.

(M.D.Pa. Civ. No. 00-cv-01590)

Present: Marcia M. Waldron, Clerk

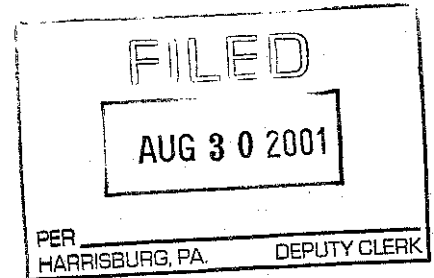
Submitted is appellant's motion for leave to appeal in forma pauperis and affidavit in support thereof, pursuant to Rule 24, Federal Rules of Appellate Procedure,

in the above-captioned case.

MMW/NF

ORDER

The foregoing motion to proceed in forma pauperis is granted. Appellant filed a notice of appeal on June 29, 2001. Appellant is a prisoner and seeks to proceed in forma pauperis on appeal. Appellant is required to pay the full \$105.00 fee in installments regardless of the outcome of the appeal. Appellant has completed and filed the required authorization form permitting the appropriate prison officials to assess, collect and forward to the District Court the filing and docketing fees for this appeal pursuant to 28 U.S.C. §§ 1915(b)(1) and (2). The Court hereby directs the warden or his or her designee to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to the prisoner's account; or (b) the average monthly balance in the prisoner's account for the six month period immediately preceding the filing of the notice of appeal. The warden, or his or her designee, shall calculate, collect, and forward the initial payment assessed in this order to the Clerk of the Middle District of Pennsylvania. In each succeeding month when the amount in the prisoner's account exceeds \$10.00, the warden, or his or her designee, shall forward payments to the Clerk of the Middle District of Pennsylvania equaling 20% of the preceding month's income credited to the prisoner's account until the fees are paid. Each payment shall reference the appellate docket number for this appeal.



EPS-357

This appeal will be submitted to a panel of the Court for determination under 28 U.S.C. § 1915(e)(2). The Court will also consider appellant's motion for appointment of counsel, as well as any other appropriate action such as affirmance of the order of the District Court. See Third Circuit Internal Operating Procedure 10.6.

A True Copy


Deputy Clerk

For the Court,


Clerk

Dated: AUG 27 2001

dmg/cc: dht
jft